

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

SEP 22 2016

NICOLE P. ERAMO,

)

Plaintiff,

)

v.

)

ROLLING STONE, LLC, et al.,

)

Defendants.

)

Civil Action No. 3:15CV00023

JULIA C. DUDLEY CLERK
BY: 
DEPUTY CLERK

ORDER

By: Hon. Glen E. Conrad

Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

that the parties' motions for summary judgment and partial summary judgment are granted in part and denied in part. Specifically, the court concludes, as a matter of law, as follows:

1. Plaintiff was a limited-purpose public figure at the time of publication;
2. There is a genuine issue of material fact regarding actual malice;
3. The "deck" is hyperbole not subject to verification and, therefore, is not actionable;
4. The remaining statements are assertions of fact and capable of a defamatory meaning;
5. The remaining statements are not defamatory per se; and
6. There is a genuine issue of material fact as to whether defendants republished the Article on December 5th.

The Clerk is directed to send copies of the order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 32nd day of September, 2016.


Chief United States District Judge